



IPW

PATENT
Customer No. 22,852
Attorney Docket No. 04173.0520

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)
Hideshige MORIYAMA et al.) Group Art Unit: 1793
Application No.: 10/587,861)
Filed: July 28, 2006) Examiner: Timothy C. Vanoy
For: SYSTEM AND METHOD FOR)
RECOVERING CARBON DIOXIDE) Confirmation No. 9783
IN EXHAUST GAS)

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

**SUBMISSION OF DOCUMENT CITED IN INFORMATION
DISCLOSURE STATEMENT FILED 7/28/06**

In the July 1, 2008, Office Action, the Examiner asserted that the literature reference by Say et al. titled "Removal of cyclic urea from gas scrubbing solution" (hereafter "Say et al.") is missing from the Information Disclosure Statement (IDS) filed July 28, 2006. As a result, the July 28, 2006, IDS "does not fully comply with the requirements of 37 CFR 1.98(b)." July 1, 2008, Office Action at 2. The Examiner set a one (1) month period to supply the allegedly missing document.

Applicants' records indicate that Say et al. was provided with the IDS filed July 28, 2006. Nevertheless, Applicants submit herewith a copy of Say et al. and assert that the IDS filed July 28, 2006, fully satisfies the requirements of 37 CFR 1.98. Applicants also submit herewith a form PTO/SB/08 listing Say et al. Applicants request

that the Examiner consider the listed document, indicate his consideration on the attached form, and return a copy of the form to Applicants.

This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that the listed document is material or constitutes "prior art." If the Examiner applies the document as prior art against any claims in the application and Applicants determine that the cited document does not constitute "prior art" under United States law, Applicants reserve the right to present to the Office the relevant facts and law regarding the appropriate status of the document.

Applicants further reserve the right to take appropriate action to establish the patentability of the disclosed invention over the listed document, should the document be applied against the claims of the present application.

If there is any fee due in connection with the filing of this Statement, please charge the fee to Deposit Account 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,
GARRETT & DUNNER, L.L.P.

Dated: July 21, 2008

By:

Richard M. Burgdjian
Reg. No. 31,744